

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 16, 1990
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wolfsheimer at 10:06 a.m. The meeting was recessed at 10:51 a.m. due to lack of a quorum. A quorum was present at 10:55 a.m. with Mayor O'Connor and Council Members Roberts, Bernhardt, and Henderson not present. The meeting was recessed by Deputy Mayor Wolfsheimer at 11:12 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:04 p.m. without a quorum present. A quorum was present at 2:08 p.m. with Council Members Wolfsheimer, Hartley, Henderson, and Filner not present. Mayor O'Connor recessed the meeting at 6:55 p.m. to meet in Closed Session on the 12th Floor Conference, to discuss pending litigation matters. Mayor O'Connor reconvened the regular meeting at 7:10 p.m. with Council Members Hartley and Filner not present. Mayor O'Connor adjourned the meeting at 9:55 p.m. to convene the Redevelopment Agency Meeting.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present

(8) Council Member Filner-present

Clerk-Abdelnour/Fishkin (mp,rb)

FILE LOCATION: MINUTES

Oct-16-1990

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-310: (R-91-591) ADOPTED AS RESOLUTION R-276729

Proclaiming October 28 to November 4, 1990, as "Pornography Awareness Week"; endorsing the WRAP (White Ribbons Against Pornography) national campaign against pornography.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C080-085.)

MOTION BY BERNHARDT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Oct-16-1990

ITEM-330: (R-91-493) ADOPTED AS RESOLUTION R-276720

Calling for the formation of a Project Area Committee for the proposed North Park Redevelopment Project and adopting a procedure for the formation of the Project Area Committee.

(Greater North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The City is preparing a redevelopment plan for the North Park community. California Community Redevelopment Law states that, if there is potential for implementation of the redevelopment plan resulting in the displacement of low or moderate income residents, a local advisory committee must be formed to represent those residential interests. There are no specific plans for such displacement but the potential does exist. The advisory group, to be named the North Park Redevelopment Project Area Committee (PAC), is to be formed by a local election in the North Park community. The proposed PAC Formation Procedures establish the process for carrying out the election. The procedures call for a 15-member PAC comprised of four local residential tenants, four local homeowner-occupants, four local business owners and three representatives of community organizations operating in North Park. With adoption of the procedures, the City would proceed to hold a community workshop on October 27th, a candidate's forum on the morning of December 1st, and an election on the afternoon of December 1st. The results of the election would be brought back to Council on December 11th for ratification.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B110-245.)

Hearing began at 10:59 a.m. and halted at 11:09 a.m.

Testimony in favor by Ray Gomez.

Testimony in opposition by Quentin Laywell.

MOTION BY HARTLEY TO ADOPT STAFF RECOMMENDATION. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331: CONTINUED TO NOVEMBER 5, 1990, 2:00 P.M.

Appeals of J. P. Snodgrass, William W. Williams, Christopher J. Wills, Herman F. Froeb, R. L. McNitt, Jr., and Joseph M. Patridge, from the decision of the Planning Commission in approving Coastal Development Permit and La Jolla Shores Permit CDP/LJS-90-0531, proposing to remove one existing single-family residence and reconstructing two

two-story single-family residences on the two existing adjacent lots. The subject property (4,622 square feet for Lot 7 and 4,672 square feet for Lot 8) is located at 8315

Camino del Oro, between El Paseo Grande and Calle Frescota, in a single-family zoned site, in the La Jolla Shores Community Plan area. The site is more particularly described as Lots 7 and 8, Block 35 of La Jolla Shores Unit No. 6, Map-2147.

(CDP/LJS-90-0531. District-1.)

Subitem-A: (R-91-)

Adoption of a Resolution granting or denying the appeal and granting or denying the CDP permit, with appropriate findings to support Council action.

Subitem-B: (R-91-)

Adoption of a Resolution granting or denying the appeal and granting or denying the LJS permit, with appropriate findings to support Council action.

FILE LOCATION: Subitem-A: PERM - CDP-90-0531; Subitem-B:
PERM - LJS 90-0531

COUNCIL ACTION: (Tape location: B069-104.)

Testimony in opposition to the continuance by Rebecca Michael.

MOTION BY HARTLEY TO CONTINUE TO NOVEMBER 5, 1990, 2:00 P.M. FOR A FULL COUNCIL. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Oct-16-1990

ITEM-332: (R-91-) CONTINUED TO NOVEMBER 13, 1990

Appeal of Alfred C. Strohlein and Charles D. Grim, from the decision of the Planning Director in granting Early Release Single-Family Neighborhood Protection Ordinance (ERSFNPO) Case-90-3007, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to

determine if the property at 1343 Reed Avenue is located within a single-family neighborhood. The subject property is further described as Lots 11 and 12, Block 288, Pacific Beach Map-923, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area.

(ER-90-3007. District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE - ERSFNPO Case 90-3007

COUNCIL ACTION: (Tape location: A019-047.)

MOTION BY HENDERSON TO CONTINUE ITEMS-332, 333, 334, AND 335 TO NOVEMBER 13, 1990, FOR TIME TO RESOLVE PACIFIC BEACH ZONING

ISSUES. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Oct-16-1990

ITEM-333: (R-91-) CONTINUED TO NOVEMBER 13, 1990

Appeal of Alfred C. Strohlein, from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3026, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 4053 Honeycutt Street is located within a single-family neighborhood. The subject property is further described as Lots 11 and 12, Block 2, Venice Park Map-991, in Zone R-1500, in the Pacific Beach Community Plan area.

(Case-90-3026. District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE ERSFNPO Case 90-3026

COUNCIL ACTION: (Tape location: A019-047.)

MOTION BY HENDERSON TO CONTINUE ITEMS-332, 333, 334, AND 335 TO NOVEMBER 13, 1990, FOR TIME TO RESOLVE PACIFIC BEACH ZONING

ISSUES. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-not present.

Oct-16-1990

ITEM-334: (R-91-) CONTINUED TO NOVEMBER 13, 1990

Appeal of Alfred Strohlein, from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3027, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property located at 3867 Kendall Street is located within a single-family neighborhood. The subject property is further described as Lots 7 and 8, Block 28, Fortuna Park Addition, Tract 894, in Zone R-1500, in the Pacific Beach Community Plan area.
(Case-90-3027. District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE - ERSFNPO Case 90-3027

COUNCIL ACTION: (Tape location: A019-047.)

MOTION BY HENDERSON TO CONTINUE ITEMS-332, 333, 334, AND 335 TO NOVEMBER 13, 1990, FOR TIME TO RESOLVE PACIFIC BEACH ZONING ISSUES. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-not present.

ITEM-335: (R-91-) CONTINUED TO NOVEMBER 13, 1990

Appeal of Alfred C. Strohlein, from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3022, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is

requesting an Early Release from this restriction to determine if the property at 2058 Reed Avenue is located within a single-family neighborhood. The subject property is further described as Lots 25 & 26, Block 274, Pacific Beach Map-697 & 854, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area.
(ER-90-3022. District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE ERSFNPO Case 90-3022

COUNCIL ACTION: (Tape location: A019-047.)

MOTION BY HENDERSON TO CONTINUE ITEMS-332, 333, 334, AND 335 TO NOVEMBER 13, 1990, FOR TIME TO RESOLVE PACIFIC BEACH ZONING ISSUES. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Oct-16-1990

ITEM-336: PROCLAIMED

Proclaiming October 16 through 18, 1990, to be "The Official Three Days Blitz of the Portuguese Delegation".

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C279-332.)

MOTION BY ROBERTS TO APPROVE. Second by BERNHARDT. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337: CONTINUED TO NOVEMBER 13, 1990

Matter of two appeals by 1) Point Loma Nazarene College by Rebecca Michael, Attorney and 2) Ann Swanson and Michael Taylor McGreevy from the decision of the Planning Commission in granting a request for Coastal Development Permit CDP-87-0142 and Conditional Use Permit CUP-87-0142 (an amendment to CUP-82-0205). Point Loma Nazarene College (the applicant) is appealing conditions of the permits.

Ann Swanson and Michael Taylor McGreevy are opposing the approval of the project.

The project proposes to allow additions and modifications to the existing Point Loma Nazarene College, which will modernize and regroup campus facilities. The subject property is approximately 87 acres in size, located at 3900 Lomaland Drive, and is more particularly described as Parcels 1, 3 and 4 of Parcel Map PM-1889, in Zone R1-5000/HR within the Peninsula Community Plan area. (CUP/CDP-87-0142. District-2.)

Subitem-A: (R-91-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-0142 and conditions contained in Mitigation Monitoring and Reporting Program has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-91-)

Adoption of a Resolution granting or denying the appeal and granting or denying the permits, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP 87-0142, CDP 87-0142

COUNCIL ACTION: (Tape location: D180-G188.)

Hearing began at 3:00 p.m and halted at 5:03 p.m.

Testimony in favor by Jim Bond, Bob Sanford, Rebecca Michael, Jack Blake, Paul Grimes, William Stevens, Dick Lareau, Bert Decker, and Carol Hazelton.

Testimony in opposition by Ann Swansen, Craig Barilotti, Steve Pendarvis, Dwight Warner, Nancy Cottingham, Craig Kline, Lloyd Cottingham, Jonnie Stahl, John Durward, Larry Gephardt, Deborah Blum, Jules Frank, Michael McGreevy, Linda Michael, Richard Pavel, Patricia Daugherty, Stephen Cummings, and kattie Elliott.

MOTION BY ROBERTS TO CONTINUE FOR FOUR WEEKS. STAFF IS DIRECTED TO BRING BACK ANSWERS TO THE QUESTIONS THAT HAVE BEEN RAISED DURING THE HEARING AND RECOMMENDATIONS REGARDING 1) AS PER THE 1982 STUDY, THE TRAFFIC SIGNAL SHOULD BE A PART OF THE CONDITIONAL DEVELOPMENT; 2) THE EROSION PROBLEM TO THE EXTENT

THAT THE COLLEGE PROPERTY IS CONTRIBUTING IN ANY WAY, SHAPE OR FORM SHOULD BE ADDRESSED BY THE COLLEGE WHETHER THAT MEANS NEW PIPES THAT HAVE TO BE PUT IN OR WHETHER THE RUNNOFF FROM THE PROPERTY HAS TO BE CONTROLLED IN SOME WAY; 3) THE LOOP ROAD AND THE PARKING LOT THAT RELATES TO IT SHOULD BE ELIMINATED AS AN INAPPROPRIATE USE ON THE PARK LAND. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Oct-16-1990

ITEM-338: CONTINUED TO OCTOBER 29, 1990

19901016

(Continued from the meetings of August 7, 1990, Item 331, and September 18, 1990, Item 341; last continued at Councilmember Bernhardt's request, for further review of the issue.)

A proposal for amendments to the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code, including: deletion of certain exemptions and exclusions; changes to the regulations relating to biologically sensitive lands, hillsides and floodplains; changes to the findings and alternative compliance procedure; addition of a procedure to apply the ordinance to long range plans; and other amendments. The

City Council will also consider the Resource Protection Ordinance Administrative Guidelines.
(City-wide.)

Subitem-A: (R-91-)

Adoption of a Resolution adopting the Resource Protection Ordinance Administrative Guidelines.

Subitem-B: (O-91-)

Introduction of an Ordinance amending Chapter X, Article 1, Division 4 of the Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G192-253.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 29, 1990, AS REQUESTED BY THE CITY MANAGER, DUE TO LACK OF TIME. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,

Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339: (O-91-) CONTINUED TO OCTOBER 29, 1990

19901016

(Continued from the meetings of July 10, 1990, Item 336, July 31, 1990, Item 344, August 7, 1990, Item S501, and September 18, 1990, Item 343; last continued at Councilmember Bernhardt's request, for further review.)

A proposal to amend the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code to delete Miramar Ranch North from Paragraph E., Exclusions.

(District-5.)

Introduction of an Ordinance deleting the exclusions for the Miramar Ranch North Community Plan area from the Resource Protection Ordinance, Section 101.0462, Paragraphs E4, 5 and 6 of the Municipal Code.

NOTE: See Item 340 for companion a item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G192-253.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 29, 1990, AS REQUESTED BY THE CITY MANAGER, DUE TO LACK OF TIME. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-340: (O-90-209) CONTINUED TO OCTOBER 25, 1990

19901016

(Continued from the meetings of July 10, 1990, Item 336, July 17, 1990, Item S405, July 31, 1990, Item 345, August 7, 1990, Item S502, and September 18, 1990, Item 345; last continued at Councilmember Bernhardt's request, for further review.)

A proposal to amend the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code to delete the Black Mountain Road, and County Island Annexation areas from Paragraph E., Exclusions.

(District-5.)

Introduction of an Ordinance deleting the exclusions for Black Mountain Road Assessment District, and the County

Island from the Resource Protection Ordinance, Section 101.0462, Paragraphs E4, 5 and 6 of the Municipal Code.

NOTE: See Item 339 for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G192-253.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 29, 1990, AS REQUESTED BY THE CITY MANAGER, DUE TO LACK OF TIME. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-341: (R-91-) CONTINUED TO NOVEMBER 13, 1990

(Continued from the meetings of July 31, 1990, Item 342, and September 24, 1990, Item 204; last continued at Councilmember Henderson's request, to be taken after the Special Meeting on Pacific Beach matters on October 10, 1990.)

Appeal of Robert McDonald by John McEvoy, Attorney, and Alfred Strohlein from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3018, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property at 3959, 3961, and 3969 Riviera Drive is located within a single-family neighborhood. The subject property is further described as Lots 7-12, Block 11, Second Fortuna Park Addition, Map-895, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area.

(ER-90-3018. District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE ERSFNPO CASE 90-3018

COUNCIL ACTION: (Tape location: C069-080.)

MOTION BY McCARTY TO CONTINUE ITEMS 341 AND 342 TO NOVEMBER 13, 1990, AS REQUESTED BY MAYOR O'CONNOR. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-342: (R-91-) CONTINUED TO NOVEMBER 13, 1990

(Continued from the meetings of July 31, 1990, Item 343 and September 24, 1990, Item 205; last continued at Councilmember Henderson's request, to be taken after the

Special Meeting on Pacific Beach matters to be held on 10/10/90.)

Appeal of Rebecca and Stephen Hardesty, from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3019, which requests an early release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988.

The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property at 1411 Thomas Avenue is located within a single-family neighborhood. The subject property is further described as Lots 4 & 5, Block 268, Pacific Beach Map-697, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area.

(ER-90-3019. District-6.)

Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

FILE LOCATION: ZONE ERSFNPO CASE 90-3019

COUNCIL ACTION: (Tape location: C069-080.)

MOTION BY McCARTY TO CONTINUE ITEMS 341 AND 342 TO NOVEMBER 13, 1990, AS REQUESTED BY MAYOR O'CONNOR. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-343: TRAILED TO OCTOBER 29, 1990, AS UNFINISHED BUSINESS

(Continued from the meetings of August 7, 1990, Item 338, September 18, 1990, Item 342 and September 25, 1990, Item S500; last continued at Jim Dawe's request, for further

review.)

In the matter of Vesting Tentative Map (Fairbanks Highlands), Planned Residential Development Permit and Resource Protection Overlay Zone Permit VTM, PRD & RPZ-88-1041, proposing a 109-lot subdivision of this site for each of the proposed residential development parcels, seven open space lots, one private recreation lot, and

necessary public facilities to serve the site; and construction of 92 single-family detached residences (including site landscaping, brush management and off-street parking) on a vacant 391-acre site.

Street Vacation of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451 as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed vesting tentative map for Fairbanks Highlands (VTM-88-1041).

The subject property is located generally north of Black Mountain Road and immediately west of the Penasquitos community in Zone A-1-10 (portions Hillside Review) and within the boundaries of the future urbanization area as identified by the City's General Plan. The subject property is more particularly described as portions of the northeast quarter and the east half of the northwest quarter of Section 11, the northwest quarter of Section 12, Township 14 South, Range 3 West, SBBM, Parcel Map PM-8133. (VTM, PRD & RPZ-88-1041. District-1.)

Subitem-A: (R-90-2220)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-1041 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-91-)

Adoption of a Resolution granting or denying the PRD permit, with appropriate findings to support Council action.

Subitem-C: (R-91-)

Adoption of a Resolution granting or denying the RPZ permit, with appropriate findings to support Council action.

Subitem-D: (R-91-)

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

Subitem-E: (R-90-2219)

Adoption of a Resolution authorizing the vacation of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451 as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacations of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124 and Old Survey 451 have been initiated by the submission of the tentative map for Fairbanks Highlands (VTM-88-1041). The tentative map proposes subdivision of a 391-acre site for the purpose of creating 92 single-family residential lots. Development of the site will be controlled by the associated Planned Residential Development (PRD). The subject vacation is located in an area designated as a Future Urbanizing area immediately west of the Penasquitos East Community. The proposed vacation was reviewed by the adjacent designated Community Planning Groups (North City West Planning Board and Rancho Penasquitos Planning Board) as part of the tentative map. There were no apparent concerns from the North

City West Planning Board, and the Rancho Penasquitos Planning Board supported the project in concept. On May 24, 1990, the Planning Commission upheld an appeal to the Subdivision Board's recommendation of approval and recommended denial of the Fairbanks Highlands project by a 7-0 vote.

The subject vacation consists of portions of Black Mountain Road, which is an unimproved travelway that has an assumed width of 40 feet, three road surveys which are unplotable, and one road survey which is partially utilized as a private road. The rights-of-way to be vacated will not be required for easement rights-of-way for access or traffic circulation since they will be replaced if the map is approved. The tentative map conditions provide for the dedication of half-width improvements for Carmel Valley Road with off-site transitions, the dedication of Camino Ruiz with a deferred six-year agreement for full-width improvements, and a system of private streets for access within the subdivision boundaries. The public benefits to be accrued

with this vacation are an improved road system and improved utilization of the land.

Upon Council approval of the Planned Residential Development Permit (PRD-88-1041) and the Vesting Tentative Map (VTM-88-1041) for Fairbanks Highlands, the rights-of-way to be vacated would no longer be required for present or prospective use, as indicated by staff review. It is therefore recommended that, if the vacation is approved, it be conditioned upon the approval and recordation of the final map for Fairbanks Highlands (VTM-88-1041).

FILE LOCATION: SUBITEMS-A,B,&C: PERM PRD 88-1041;
SUBITEM-D: SUBD - Fairbanks Highlands;
SUBITEM-E: DEED F-5411, STRT J-2745

COUNCIL ACTION: (Tape location: J115-M400.)

Hearing began at 7:11 p.m. and recessed at 9:46 p.m.

Testimony in favor by Jim Dawe, Kevin McNamara, Jeff Vasko, Holly Hamm, Sharon Barthelmess, and William Yellin.

Testimony in opposition by David Freeland, Linda Michael, Sheri Coalson, Eric Siegal, Jeffrey Scott, Dan Kirb, David Hunt, Joe Mahoney, Stacey Strand, and Glen Fraser.

Motion by Wolfsheimer to deny the project on the basis of unable to make findings to certify the E.I.R. Second by Bernhardt. No vote.

Motion by Wolfshiemer to deny the project and refer the question of the transportation system back to T&LU. Second by Roberts. No vote.

Council Member Roberts requested that the motion be divided with the question of the referral taken separate from the motion to deny.

Motion by Wolfsheimer to deny the project. Second by Bernhardt. Failed. Yeas: 1,5,M. Nays: 2,6,7. Not present: 3,4,8.

Attorney Bromfield advised that the proper motion would be a Council referral to T&LU to consider the transportation issue in conjunction with this application.

Motion by Wolfsheimer to refer the matter to T&LU to deal with the matter of transportation problems in the neighborhood and to try to determine what we should do with Black Mountain Road. Second by McCarty. Passed. Yeas: 1,2,5,6,7. Nays: M. Not present: 3,4,8. Motion withdrawn by Council Member Wolfsheimer due to a miscommunication in attorney direction.

Attorney Bromfield ruled that the motion was made null and void due to the miscommunication in direction.

Motion by Wolfsheimer to deny the project. Second by Roberts.
Failed. Yeas: 1,2,5,M; Nay: 6; Not present: 3,4,7,8.

ITEM-S403: (R-91-527) ADOPTED AS AMENDED AS RESOLUTION
R-276730

Awarding a contract to Centercore Systems for furnishing labor and materials to install cluster style workstations for police communications, for a total cost of \$99,683.37, including tax and terms; authorizing the expenditure of an amount not to exceed \$99,683.37, from Department No. 30244, Fund No. 30244, Organization No. 106, Object Account No. 4922, and Job Order No. 331950, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-D1661/91)
Aud. Cert. 9100305.

FILE LOCATION: CONT - PURCHASE - San Diego Postal Equipment
CONT FY91-1

COUNCIL ACTION: (Tape location: C093-261.)

MOTION BY ROBERTS TO ADOPT THE CITY MANAGER'S RECOMMENDATION TO AWARD THE CONTRACT TO SAN DIEGO POSTAL EQUIPMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-91-617) ADOPTED AS RESOLUTION R-276721

Certifying that the information contained in Environmental Mitigated Negative Declaration DEP No. 90-0480, for the Mission Beach Drainage Project CIP-11-226, together with any comments received during the public review process, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and State guidelines (California Administrative Code Section 15000 et seq.), and that said report has been reviewed and considered by the Council; declaring that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore approves the

Mitigated Negative Declaration; adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by the City Council in order to mitigate or avoid significant effects on the environment, pursuant to California Public Resources Code, Section 21081.6.
(Mission Beach Community Area. District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A125-133.)

MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S405:

Two actions relative to the Drug Abatement and Housing Inspection Program:

(See City Manager Reports CMR-90-442, CMR-90-441 and CMR-90-396; and Committee Consultant memorandum dated 10/9/90.)

Subitem-A: (O-91-65) HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-17504-1 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17504-1, as amended and adopted therein, by amending the personnel authorization of the Building Inspection Department (1300), Enterprise Fund 41300, by adding two Building Inspector II positions, one Word Processing Operator, and two Clerical Assistant II positions; authorizing the City Auditor and Comptroller to increase the Building Inspection Enterprise Fund 41300 by \$277,995 to accommodate cost of additional positions, said funds to come from recovered fees in the Full Cost Recovery Housing Inspection Program and Full Time Drug Abatement Program.

Subitem-B: (O-91-69) HEARING HELD

First public hearing in the matter of:

Amending Ordinance O-17504 (New Series), as amended,

entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by amending the personnel authorizations of the City Attorney's Department (045) and the Police Department (110) by adding one-half Deputy City Attorney's position, one Legal Assistant, and one Legal Secretary to the City Attorney's Department (045) and one Police Officer II/Detective to the Police Department (110); authorizing the City Auditor and Comptroller to increase the General Fund 100 by \$230,894 for the purpose of implementing an expanded Drug Abatement Program to be allocated as follows: To the City Attorney's Department (045) - \$114,132 Personnel \$38,439 and Non-Personnel and Police Department (110) - \$58,289 Personnel and \$20,034 Non-Personnel; to defray costs of additional positions, the \$230,894 is to come from a surcharge on the Housing Permit Fee and to be deposited initially into General Fund 100 Revenue Account 77230 for the above purpose.

COMMITTEE ACTION: Initiated by PSS on 9/19/90. Recommendation to approve the City Manager's recommendations detailed in CMR-90-396 with three amendments: 1) Recommended expansion of Drug Abatement Program; 2) implementation of a full cost recoverable Housing Inspection Program by the end of 1990; and 3) creation of a Public Services and Safety Committee Task Force. Districts 3, 4 and 5 voted yea. Districts 2 and 7 not present.

Aud. Certs. 9100291 and 9100299.

NOTE: See Item S501 on the supplemental docket of Tuesday, October 16, 1990, for the introduction and adoption of the Ordinances. Today's action is the first public hearing.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A143-B065.)

MOTION BY McCARTY TO APPROVE THE CITY MANAGER RECOMMENDATION AND

TO SUPPORT IN CONCEPT THE APARTMENT ASSOCIATION'S IDEA OF ADDING A FIFTY-CENT SURCHARGE SO THAT THE PRIVATE SECTOR CAN GET INVOLVED IN TRAINING THEIR APARTMENT MANAGERS ON HOW TO DEAL WITH DRUG PROBLEMS IN THEIR APARTMENTS. ALSO, REFER TO PS&S COMMITTEE THE DETAILS OF THE APARTMENT ASSOCIATION'S PROPOSAL

FOR DISCUSSION. STAFF IS DIRECTED TO PROVIDE A QUARTERLY REPORT TO PS&S COMMITTEE ON THE PROGRESS OF THE PROGRAM. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S407: CONTINUED TO NOVEMBER 13, 1990

19901016

(Continued from the meetings of July 30, 1990, Item 51, September 17, 1990, Item 200, September 24, 1990, Item S404 and October 8, 1990, Item 200; last continued at Councilmember Roberts' request.)

Five actions relative to development in the Future Urbanizing Area:

Subitem-A: (O-90-215)

Amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code, by amending Section 101.0404, relating to the A-1 (Agricultural) Zones, to restrict the permitted

density of residential development and eliminate off-street parking requirements within the Future Urbanizing area; to restrict the pattern of residential development in the A-1 zones City-wide; to delete churches as a use permitted by right in the A-1 zones city-wide; and to create A-1-20 and A-1-40 Zones.

(Introduced on 7/17/90. Council voted 5-3. Districts 2, 4, and 7 voted nay. Mayor not present.)

Subitem-B: (O-90-217)

Amending Chapter X, Article 1, Division 9 of the San Diego Municipal Code, by amending Section 101.0901, relating to Planned Residential Developments, to restrict the permitted density of residential development within the Future Urbanizing area; to restrict the pattern of residential development within the Future Urbanizing area and in the A-1 zones city-wide; and to clarify limitations on accessory uses city-wide.

(Introduced on 7/17/90. Council voted 5-3. Districts 2, 4 and 7 voted nay. Mayor not present.)

Subitem-C: (O-90-219)

Amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code, by amending Section 101.0510, relating to Conditional Use Permits, to restrict the types of land uses which may be permitted within the Future Urbanizing area; to limit certain other conditional uses city-wide; to clarify limitations on incidental facilities city-wide; and to designate the City Council as the decision-making body for permitting of specified uses.

(Introduced as amended on 7/17/90. Council voted 5-3.

Districts 2, 4 and 7 voted nay. Mayor not present.)

Subitem-D: (O-90-221)

Amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code, by amending Section 101.0403, relating to the FW (Floodway) Zone, to restrict the types of conditional uses which may be permitted within the Future Urbanizing area; and to clarify limitations on incidental facilities city-wide.

(Introduced on 7/17/90. Council voted 5-3. Districts 2, 4, and 7 voted nay. Mayor not present.)

Subitem-E: (R-90-)

Adoption of further amendments to Council Policy 600-29 (amended July 17, 1990) entitled "Maintenance of the Future Urbanizing Area as an Urban Reserve."

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G276-J070.)

MOTION BY PRATT TO APPROVE: 1.) STAFF'S RECOMMENDATIONS PERTAINING TO WATER AND SEWER HOOKUPS. 2.) CLUSTERING: IN RECOGNITION OF THE NEED TO PRESERVE AN INNOVATIVE PLANNING TOOL, BUT WITH PROTECTIONS SO THAT THIS TOOL IS NOT ABUSED, STAFF IS TO REVISE ALL ORDINANCES, POLICIES AND PROCEDURES RELEVANT TO THE FUTURE URBANIZING AREA TO IMPLEMENT THE FOLLOWING CONCEPTS: (A) CLUSTERED UNITS AT A DENSITY OF ONE UNIT PER TEN ACRES OVERALL SHALL BE PERMITTED BY THE CITY COUNCIL ON A CASE-BY-CASE BASIS FOR THE PURPOSE OF PRESERVING FUTURE LAND USES AND PUBLIC FACILITIES OPTIONS; (B) CLUSTERED UNITS AT DENSITIES ON ONE UNIT PER FOUR ACRES OVERALL MAY BE APPROVED BY THE CITY COUNCIL ON A CASE-BY-CASE BASIS THROUGH SPECIAL LAND USE REGULATIONS APPLICABLE TO THE SAN DIEGUITO REGIONAL PARK FOCUSED PLANNING AREA OR LAND TO BE INCLUDED WITHIN THE ENVIRONMENTAL TIER AS HEREIN DEFINED: THE ENVIRONMENTAL TIER CONCEPT ENVISIONS THAT THE CLUSTERING OF UNITS SHALL BE ACCOMPLISHED IN A MANNER WHICH WILL: (1) ENCOURAGE THE CREATION AND EXPANSION OF REGIONAL PARK

OPEN SPACE SYSTEMS, SUCH AS SAN DIEGUITO RIVER VALLEY REGIONAL PARK, LOS PENASQUITOS CANYON PRESERVE, AND BLACK MOUNTAIN REGIONAL PARK, OR (2) CREATE A SYSTEM OF WILDLIFE/OPEN SPACE CORRIDORS LINKING THE VARIOUS REGIONAL PARKS AND/OR CREATING A CONTINUOUS OPEN SPACE SYSTEM. SUCH CLUSTERED UNITS AT DENSITIES OF ONE UNIT PER FOUR ACRES OVERALL MAY BE APPROVED IF THE FOLLOWING FINDINGS CAN BE MADE: (i) A CLUSTERED PROJECT MUST ADVANCE THE ENVIRONMENTAL TIER CONCEPT OF A CONTIGUOUS OPEN SPACE SYSTEM AND, WHERE APPROPRIATE, ALLOW FOR THE PERMANENT PRESERVATION OF OPEN SPACE THROUGH PUBLIC AND PRIVATE OPEN SPACE EASEMENTS AND/OR DEDICATIONS. (ii) A CLUSTERED PROJECT MUST NOT FORECLOSE FUTURE DECISIONS REGARDING THE SIZE OF MAJOR ROADS AND ARTERIALS; (iii) A CLUSTERED PROJECT SHOULD BE ADJACENT TO AREAS ALREADY SERVED BY WATER AND SEWER SERVICES TO AVOID LEAPFROG DEVELOPMENT; (iv) A CLUSTERED PROJECT MUST BE AT LEAST FISCALLY NEUTRAL SO IT WILL NOT BURDEN THE CITY'S CAPITAL AND OPERATING COSTS; (v) A CLUSTERED PROJECT MUST ADDRESS FRAMEWORK PLANNING ISSUES SUCH AS SCALE, LAND USE, ENVIRONMENTAL RESOURCES AND PUBLIC FACILITIES, IN A COMPREHENSIVE MANNER. 3.) CONDITIONAL USE PERMITS: (A) BOTH PUBLIC AND PRIVATE GOLF COURSES WILL BE PERMITTED IF THE GENERAL FINDINGS DESCRIBED ABOVE IN 2(B) (CLUSTERED PROJECTS) CAN BE MADE FOR SUCH CONDITIONAL USE PERMITS. THE DECISION ON WHO USES A GOLF COURSE IS NOT A LAND USE ISSUE SUITABLE FOR REGULATION BY LAND USE POLICIES; AND (B)

PRESERVE THE OPTION FOR THE CITY COUNCIL TO CONSIDER THE PERMITTING OF CERTAIN PUBLIC OR QUASI-PUBLIC FACILITIES ON A CASE-BY-CASE BASIS. 4.) PRE-CONDITION OF PLANNING: REVISE COUNCIL POLICY (AND GUIDELINES FOR FUTURE DEVELOPMENT) TO REVISE SECTION E TO CLARIFY THE ORIGINAL INTENT. THE INTENT WAS TO ENSURE THAT PREMATURE PLANNING FOR A PHASE SHIFT DOES NOT OCCUR. HOWEVER, THE INTENT WAS NOT TO PROHIBIT PLANNING IN WAYS THAT WOULD BENEFIT THE REGIONAL PARK OR THE DEVELOPMENT OF A CONTIGUOUS OPEN SPACE SYSTEM AT DENSITIES CONSISTENT WITH VOTER APPROVED PROPOSITION A. 5.) REVISE SECTION 101.0510 SUBSECTION C(4)(h)(3) OF THE CONDITIONAL USE PERMIT ORDINANCE TO READ AS FOLLOWS: "ANY AGRICULTURAL ZONE, PROVIDED THAT PERMANENT BUILDING AND/OR FILL SHALL NOT BE PERMITTED IN AREAS OF THE COASTAL ZONE AND THE FUTURE URBANIZING AREA SUBJECT TO THE FPF OVERLAY ZONE." NO APPROVAL OF A CLUSTERED PROJECT OR CONDITIONAL USE PERMIT (CUP) SHALL TAKE PLACE UNTIL THE CITY COUNCIL HAS ADOPTED AN ORDINANCE REGULATING CLUSTERING IN THE FUTURE URBANIZING AREAS. STAFF IS DIRECTED TO RETURN WITH A DRAFT OF SUCH ORDINANCE WITHIN 60 DAYS. APPROVE VISION COMMITTEE WITH DIRECTIONS. CONTINUE THE SECOND READING OF THE

FOUR ORDINANCES. IN ADOPTING ORDINANCES REGULATING DEVELOPMENT IN FUTURE URBANIZING AREAS, IT IS IMPORTANT TO TAKE INTO CONSIDERATION THE CITY'S NEED FOR AFFORDABLE HOUSING, THE PLANNING FRAMEWORK AND ORDINANCES REGULATING DEVELOPMENT. THESE

ORDINANCES SHOULD INCLUDE INCENTIVES FOR THE PROVISION OF A FAIR SHARE OF AFFORDABLE HOUSING SHALL BE AN ADDITIONAL FINDING FOR THE APPROVAL OF A CLUSTERED PROJECT. TO ACCEPT COUNCIL MEMBER ROBERT'S AMENDMENT TO DIRECT STAFF TO REVIEW THE WORK BEING DONE WITH RESPECT TO MAPPING SENSITIVE LANDS ESPECIALLY BETWEEN I-5 AND I-15 CORRIDORS AND REPORT BACK TO COUNCIL. TO ACCEPT COUNCIL MEMBER'S WOLFSHEIMER'S AMENDMENT TO ADD LANGUAGE TO THE MOTION UNDER 2(B) TO STATE: "EXCEPT FOR THOSE CLUSTERED UNITS WITHIN THE SAN DIEGUITO REGIONAL PARK STUDY AREA, WHICH WILL BE SUBJECT TO AN ORDINANCE DIRECTED ON SEPTEMBER 17, 1990, AND TO BE INTRODUCED IN T&LU ON OCTOBER 29, 1990, CLUSTERED UNITS AT DENSITIES OF ONE UNIT PER FOUR ACRES OVERALL MAY BE APPROVED IF THE FOLLOWING FINDINGS CAN BE MADE." Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S408: (R-91-415 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-276731

19901016

(Continued from the meetings of September 10, 1990, Item S406, September 24, 1990, Item 200, and October 8, 1990, Item 201; last continued as a companion item to the Future Urbanizing Ordinances.)

Appointing a committee to advise the City Council on comprehensive planning matters within the North City Future Urbanizing area, and requesting the committee formulate recommendations regarding: 1) The Planning issues that need to be addressed; 2) A process for resolving those issues; 3) A method of financing the required work; and 4) A schedule for completion of this effort; requesting the Advisory Committee to submit its recommendations to the City Council's Transportation and Land Use Committee within

six months time; declaring that the Advisory Committee shall be comprised of the following members:

City of San Diego

Ralph Pesqueira, Chairperson Planning Commission

Robert P. Spaulding Planning Director

Severo Esquivel City Manager's Office

Academic and Professional Disciplines

Nico Calavita Planning Academician

Nick DeLorenzo Landscape Architect

Max Schmidt Planning Professional

Civic and Environmental Organizations

Diane Barlow Coombs San Dieguito Joint

Powers Authority

Linda Michael Sierra Club

Karen Scarborough Citizens Coordinate for

Century Three

Property Owners

Lance Burris Potomac Investment

Associates San Diego,
Inc.

David B. Goodell Del Mar Investment Group

Inc.

Michael Madigan Pardee Construction Co.

Jerry McCaw South Coast Land Co.

(District-1.)

CITY MANAGER SUPPORTING INFORMATION: On July 17, 1990

(Item 332) the City Council discussed the need for comprehensive planning for the North City Future Urbanizing area and determined that prior to the initiation of a comprehensive planning effort, a planning advisory committee representing a balance of community interest should be established to recommend, in preliminary fashion: 1) The planning issues that

need to be addressed; 2) A process for resolving those issues; 3) A method of financing the required work; and 4) A schedule for completion of this effort. The Planning Department was directed to recommend the composition of this advisory committee for Council's consideration on September 10, 1990.

The recommended advisory committee, listed above, includes a balanced cross-section of the principal parties interested in and affected by this matter. The proposed membership includes:

1) Four property owners within the area, two large and two smaller and landholders; 2) Three representatives of interested civic and environmental organization; 3) Three members from

relevant academic and professional disciplines; and 4) Three City of San Diego representatives, including the Vice-Chairman of the Planning Commission who is recommended as chairperson of the advisory committee. It is anticipated that the advisory committee will be able to conclude its work and submit its recommendations to the Council's Transportation and Land Use Committee within six months time.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G267-J070.)

MOTION BY PRATT TO APPROVE VISION COMMITTEE WITH DIRECTIONS.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Oct-16-1990

ITEM-S417: TRAILED TO OCTOBER 29, 1990

(Continued from the meeting of October 2, 1990, Item 701.)

In the matter of discussion on docketing procedures.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G192-253.)

MOTION BY WOLFSHEIMER TO TRAIL TO OCTOBER 29, 1990, AS REQUESTED BY THE CITY MANAGER, DUE TO LACK OF TIME. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S419:

(Continued from the meetings of October 2, 1990, Item 331, and October 9, 1990, Item S501; last continued at Mayor O'Connor's request, for full Council.)

Matters of:

1) Appeals of The Baldwin Company, by JoAnn Shannon, from the decision of the Planning Commission in approving with modifications Tentative Map and Planned Development Permit TM and PD-89-1305 (Carmel Del Mar Neighborhood 4 South), the description of the subject properties is included in

the legal description below; and

2) The proposed amendments to the North City West Community Plan, the North City West Neighborhoods 1, 4, 5 and 6 Precise Plans, the North City West Planned District Ordinance, and the North City Local Coastal Program Land Use Plan. The amendments would:

Redesignate Site No. 1 from a 1.25-acre mini park to seven single-family residential home sites.

Redesignate Site No. 2 from a neighborhood commercial center to a 5-acre mini park and relocate the neighborhood commercial center to Site No. 3.

Relocate the elementary school/neighborhood park complex from Site No. 4 to Site No. 5 and designate Site No. 4 for 68 single-family detached units.

Add 46 attached residential units to Site No. 6 for a total of 205 units.

Redesignate Site No. 7 from 278 single-family detached residences to 225 detached single-family residences.

The subject properties are bounded by Del Mar Heights Road, Carmel Country Road, Carmel Valley Road and the easterly boundary of the North City West community. The properties are legally described as Lots 1-7, Carmel Valley Neighborhood 1, Unit 9, Map-11895; Parcel 1, Parcel Map PM-11877; Parcels 9-13, Parcel Map PM-14460; Parcel 5, Parcel Map PM-15370; Parcel 1, Parcel Map PM-15370; and Lots 1-91, Carmel Valley Neighborhood 1, Unit 3, Map-12564, within the North City West community.

19901016

The proposed plan amendment and rezone also constitute an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed LCP must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until after approval by the California Coastal Commission.
(District-1.)

Subitem-A: (R-91-561) ADOPTED AS RESOLUTION R-276722
Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-89-1305 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and adopting the mitigation measures and

monitoring program, and that said declaration has been reviewed and considered by the Council and adopting the Mitigation Monitoring and Reporting Program.

Subitem-B: (R-91-781) ADOPTED AS RESOLUTION R-276723
GRANT APPEAL, GRANT MAP WITH
MODIFICATIONS

Adoption of a Resolution granting or denying the appeal and granting or denying the map, with appropriate findings to support Council action.

Subitem-C: (R-91-782) ADOPTED AS RESOLUTION R-276724
GRANT APPEAL, GRANT PERMIT WITH
MODIFICATIONS

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

Subitem-D: (R-91-562) ADOPTED AS RESOLUTION R-276725

Adoption of a Resolution approving amendments to the North City West Community Plan, North City West Neighborhoods 1, 4, 5 and 6 Precise Plans and North City Local Coastal Program Land Use Plan.

Subitem-E: (O-91-58) INTRODUCED, TO BE ADOPTED
OCTOBER 29, 1990

Introduction of an Ordinance amending the planned district ordinance.

FILE LOCATION: Subitem-A: LAND - NCW Neighborhoods 1, 4, 5, & 6 Precise Plans; Subitem-B: SUBD - Carmel Del Mar Neighborhood 4 South; Subitem-C: PERM - NCWPD89-1305; Subitem-D: LAND - North City West Community Plan, North City West Neighborhoods 1, 4, 5, 6 Precise Plans and North City Local Coastal Program Land Use Plan; Subitem-E: LAND - NCW Planned District

COUNCIL ACTION: (Tape location: A055-121.)

Hearing began at 10:11 a.m. and halted at 10:16 a.m.

Testimony in favor by Jim Munce and Mr. Cameron of the Baldwin Company.

MOTION BY ROBERTS TO APPROVE THE PROJECT IN ITS ENTIRETY AND GRANT THE APPEAL AS FOLLOWS: SUBITEM-A: CERTIFY EMND-89-1305 AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM; SUBITEMS-B,C: ADOPT THE RESOLUTIONS GRANTING THE APPEAL OF THE MAP AND PLANNED DEVELOPMENT PERMIT WITH APPROPRIATE FINDINGS

AND

WITH THE FOLLOWING MODIFICATIONS: (1) PDP CONDITION #30, THE STANDARD GROWTH MANAGEMENT CONDITION, SHOULD BE DELETED IN ITS ENTIRETY. (2) PDP CONDITION #25 SHOULD BE REVISED TO READ, "IN THE EVENT THAT ANY CONDITION OF THIS PERMIT IS FOUND OR HELD BY A COURT OF COMPETENT JURISDICTION TO BE INVALID, UNENFORCEABLE OR UNREASONABLE, THE PLANNING DIRECTOR SHALL HAVE THE RIGHT TO REVIEW THIS PERMIT TO CONFIRM THAT THE PURPOSE AND INTENT OF THE ORIGINAL APPROVAL WILL BE MAINTAINED AND THE RIGHT TO SUSPEND THIS PERMIT PENDING SUCH REVIEW AND DETERMINATION." (3) A NEW PDP CONDITION SHOULD BE ADDED AS FOLLOWS: ARTICULATION, MATERIAL ACCENTS AND COLOR VARIATION SHALL BE PROVIDED ON THE SIDES AND REAR FACADES OF THE COMMERCIAL BUILDINGS TO PROVIDE VISUAL RELIEF. ARCHITECTURE OF THE COMMERCIAL BUILDINGS SHALL BE DESIGNED SO AS TO BE AESTHETICALLY COMPATIBLE WITH SURROUNDING RESIDENTIAL AREAS AND, IN PARTICULAR, ROOF-TOP AIR CONDITIONING UNITS AND OTHER ROOF-TOP EQUIPMENT SHALL BE APPROPRIATELY SHIELDED FROM VIEWS. (4) A NEW TM CONDITION SHOULD BE ADDED AS FOLLOWS: TO THE EXTENT DEEMED FEASIBLE BY THE CITY ENGINEER, THE FOLLOWING MODIFICATIONS TO THE SITE FOR THE NEIGHBORHOOD COMMERCIAL CENTER SHALL BE INCLUDED: (A) THE PAD ELEVATION FOR THE COMMERCIAL SITE SHALL BE LOWERED FROM 12 TO 18 FEET FROM THAT CURRENTLY SHOWN ON THE PROPOSED TENTATIVE MAP; (B) THE RIGHT-IN, RIGHT-OUT ACCESS FROM CARMEL CANYON ROAD SHALL BE ELIMINATED; (C) A RIGHT-IN, RIGHT-OUT ENTRANCE SHALL BE PROVIDED FROM CARMEL COUNTRY ROAD; (D) LANDSCAPING SHALL BE PROVIDED ON THE SLOPE FROM CARMEL CANYON ROAD DOWN TO THE PAD ELEVATION FOR THE CENTER. (5) A NEW PDP CONDITION SHOULD BE ADDED AS FOLLOWS: THE PROJECT APPLICANT SHALL PLANT INFANT TREES AT THE TOP OF THE SLOPE CREATED BETWEEN CARMEL CANYON ROAD

AND THE PAD ELEVATION OF THE COMMERCIAL CENTER AS SOON AS PRACTICABLE AFTER RECORDATION OF THE FINAL MAP, OR MORE MATURE TREES SHALL BE PLANTED AT THE TIME THE COMMERCIAL CENTER IS ACTUALLY CONSTRUCTED. THE INTENT OF THIS CONDITION IS TO ASSURE IMMEDIATE MITIGATION OF VISUAL IMPACTS UPON OPENING OF THE COMMERCIAL CENTER. ADOPT THE RESOLUTION APPROVING AMENDMENTS

TO

THE NORTH CITY WEST COMMUNITY PLAN, NORTH CITY WEST NEIGHBORHOODS 1, 4, 5, AND 6 PRECISE PLANS AND NORTH CITY LOCAL COASTAL PROGRAM LAND USE PLAN. INTRODUCE THE ORDINANCE APPROPRIATELY AMENDING THE NORTH CITY WEST PLANNED DISTRICT ORDINANCE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

ITEM-S420: (R-91-269) CONTINUED TO OCTOBER 29, 1990

(Continued from the meetings of August 6, 1990, Item S423, September 18, 1990, Item 336, October 2, 1990, Item 332, and October 9, 1990, Item S500; last continued at Deputy Mayor Wolfsheimer's request, per the request of the City Manager, for full Council.)

Confirming the following appointments by the Mayor to serve as trustees of the Housing Trust Fund, to represent categories as shown, for terms to expire as indicated:

Name	Category	Term Expires
Linda Lopez	Business & Industry	August 5, 1993
Jerold H. Goldberg	Business & Industry	August 5, 1993
Alice Smith	Labor - minimum wage worker	August 5, 1993
Sister RayMonda DuVall	Nonprofit/Community Organization	August 5, 1993
Rev. Walter G. Wells	Nonprofit/Community Organization	August 5, 1993
Mark P. Krones	Business & Industry	August 5, 1992
Kathy Recordon	Business & Industry	August 5, 1992
Nick Hernandez	Labor	August 5, 1992
James Ridley	Nonprofit/Community Organization	August 5, 1992
Jean E. Porter	Nonprofit/Community Organization	August 5, 1992
James Mitsuo Cua	Nonprofit/Community Organization	August 5, 1992

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G192-253.)

MOTION BY WOLFSHEIMER TO TRAIL TO OCTOBER 29, 1990, AS REQUESTED BY THE CITY MANAGER, DUE TO LACK OF TIME. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (R-91-610) CONTINUED TO THE SPECIAL MEETING OF OCTOBER 31, 1990, AT 2:00 P.M.

(Continued from the meeting of October 9, 1990, Item S505,

for full Council.)

Approving the recommendations in Intergovernmental Relations Department Reports IRD-90-34 and IRD-90-33, as amended, relating to propositions on the November 1990 ballot.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: J135-200.)

MOTION BY PRATT TO CONTINUE THE ITEM TO THE SPECIAL MEETING OF OCTOBER 31, 1990, AT 2:00 P.M., AS RECOMMENDED BY MAYOR O'CONNOR. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S501: CONTINUED TO OCTOBER 29, 1990

Two actions relative to the Drug Abatement and Housing Inspection Program:

(See City Manager Reports CMR-90-442, CMR-90-441 and CMR-90-396; and Committee Consultant memorandum dated 10/9/90.)

Subitem-A: (O-91-65)

First public hearing in the matter of:

Amending Ordinance O-17504-1 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17504-1, as amended and adopted therein, by amending the personnel authorization of the Building Inspection Department (1300), Enterprise Fund 41300, by adding two Building Inspector II positions, one Word Processing Operator, and two Clerical Assistant II positions; authorizing the City Auditor and Comptroller to increase the Building Inspection Enterprise Fund 41300 by \$277,995 to accommodate cost of additional positions, said funds to come from recovered fees in the Full Cost Recovery Housing Inspection Program and Full Time Drug Abatement Program.

Subitem-B: (O-91-69)

First public hearing in the matter of:

Amending Ordinance O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by amending the personnel authorizations of the City Attorney's Department (045) and the Police Department (110) by adding one-half Deputy City Attorney's position, one Legal Assistant, and one Legal Secretary to the City Attorney's Department (045) and one Police Officer II/Detective to the Police Department (110); authorizing the City Auditor and Comptroller to increase the General Fund 100 by \$230,894 for the purpose of implementing an expanded Drug Abatement Program to be allocated as follows: To the City Attorney's Department (045) - \$114,132 Personnel \$38,439 and Non-Personnel and Police Department (110) - \$58,289 Personnel and \$20,034 Non-Personnel; to defray costs of additional positions, the \$230,894 is to come from a surcharge on the Housing Permit Fee and to be deposited initially into General Fund 100 Revenue Account 77230 for the above purpose.

COMMITTEE ACTION: Initiated by PSS on 9/19/90. Recommendation to approve the City Manager's recommendations detailed in CMR-90-396 with three amendments: 1) Recommended expansion of Drug Abatement Program; 2) implementation of a full cost recoverable Housing Inspection Program by the end of 1990; and

3) creation of a Public Services and Safety Committee Task Force. Districts 3, 4 and 5 voted yea. Districts 2 and 7 not present.

Aud. Certs. 9100291 and 9100299.

NOTE: See Item S405 on the supplemental docket of Tuesday, October 16, 1990, for the introduction and adoption of the Ordinances. Today's action is the first public hearing.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A012-018.)

MOTION BY HENDERSON TO CONTINUE TO OCTOBER 29, 1990, AT THE REQUEST OF THE CITY MANAGER SINCE THE FIRST HEARING WAS TRAILED FROM MONDAY, OCTOBER 15, 1990, TO TUESDAY, OCTOBER 16, 1990.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea,

Mayor O'Connor-not present.

ITEM-S502: (R-91-494) ADOPTED AS RESOLUTION R-276732

Authorizing the Mayor to sign a letter to the Port District for the reopening of E, F, and G Streets and the development of a major open space at the foot of Broadway, in conjunction with the development of the Navy Broadway Complex.

(See memorandum from CCDC Executive Vice President dated 10/1/90, and letter to the Port District Centre City Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: N030-110.)

MOTION BY ROBERTS TO ADOPT REDEVELOPMENT ITEM NO. 3 AND CCDC'S (CENTRE CITY DEVELOPMENT CORPORATION) RECOMMENDATION WITH THE CONSIDERATION OF PUTTING A LIBRARY AT THE SITE AS SUGGESTED BY COUNCIL MEMBER McCARTY. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S503: (R-91-783) ADOPTED AS RESOLUTION R-276733, DENIED
APPEAL, GRANTED HISTORICAL SITE
DESIGNATION

19901016

(Continued from the meeting of October 9, 1990, Item 334, for full Council.)

Appeal of Lincoln Foster, by Judith A. Lesser for Gray, Cary, Ames & Frye, from the decision of the Historical Site Board in approving historical site designation of the Soledad Schoolhouse as Site No. 247, Grade 4. The subject property is located on Carmel Valley Road and lies within an interchange of I-5 and the planned State Route 56, in the Carmel Valley area.

(District-1.)

Adoption of a Resolution granting or denying the appeal and granting or denying the historical site designation, with

appropriate findings to support Council action.

FILE LOCATION: GEN'L - Historical Site Board, Desisions and Appeals, Soledad School House

COUNCIL ACTION: (Tape location: N006-029.)

Hearing began at 9:46 p.m. and halted at 9:48 p.m.

MOTION BY WOLFSHEIMER TO OPPOSE THE APPEAL. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Oct-16-1990

ITEM-S504: (R-91-784) ADOPTED AS RESOLUTION R-276734, GRANTED APPEAL, DENIED MAP

19901016

(Continued from the meetings of July 24, 1990, Item 343, September 18, 1990, Item 340, October 2, 1990, Item 334 and October 9, 1990, Item S504; for full Council.)

Appeal of Randy Bixler from the decision of the Planning Commission in approving Tentative Map TM-89-0966 (Jordan's Parcel Map) which would subdivide a 0.985 acre site into four parcels for single-family development (three units

exist on the property). The applicant is also requesting that the requirements of Council Policy 600-25, which requires that overhead utilities be placed underground, be waived. The subject property is located at the southwest corner of Loring and Collingwood Streets and is described as Lot 28 of Soledad Terrace, Map-1618; a portion of Tuna Lane, Vacated and closed to public use; Lots 153 and 154, Congress Heights Addition, Map-1627. The R1-5000 Zoned site is within the Pacific Beach Community Plan area.

(TM-89-0966. District-6.)

Adoption of a Resolution granting or denying the appeal and

granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION: SUBD - Jordan's Parcel Map

COUNCIL ACTION: (Tape location: C352-D170.)

Hearing began at 2:31 p.m. and halted at 2:59 p.m.

Testimony in favor by Rany Bixler, Jean Napier, and Mr. Snyder.

Testimony in opposition by Paul Peterson and Phil Jordon.

Motion by Henderson to deny the appeal and grant the lot split subject to the conditions of the Subdivision Review Board or the Planning Commission. Second by McCarty. No vote.

SUBSTITUTE MOTION BY WOLFSHEIMER TO GRANT THE APPEAL AND DENY THE LOT SPLIT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-S505:

Two actions relative to the Housing Inspection Program and Drug Abatement Program:

Subitem-A: (R-91-607) ADOPTED AS RESOLUTION R-276726

Adoption of a Resolution directing the City Manager to implement a program of aggressive drug abatement enforcement through the establishment of a Drug Abatement Response Team (DART) in areas of the City where priority

enforcement is necessary; directing the City Manager to implement on January 1, 1991 the following categories of fees:

1. A new housing permit fee for one and two-unit housing establishments;
2. A revised housing permit fee for housing establishments of three or more units;
3. A revised penalty fee for delinquent payment and nonpayment of the annual housing permit fee;
4. A surcharge to be added to the annual housing permit fee to support the funding of a full time Drug Abatement Response Team (DART).

Declaring that the existing fees shall continue to be

charged by the City Manager on a current basis without regard to the effective date of other fees; declaring that the City Manager shall exempt public assisted housing units from payment of the annual housing permit fee upon presentation of satisfactory proof of such entitlement.

Subitem-B: (O-91-64) INTRODUCED, TO BE ADOPTED
OCTOBER 29, 1990

Introduction of an Ordinance amending Chapter IX, Article 8, Division 1, of the San Diego Municipal Code by amending Section 98.0107, relating to Housing Permits Required.

Aud. Cert. 9100291.

NOTE: See Item S501 for a companion item.

FILE LOCATION: Subitem-A: MEET; Subitem-B: - -

COUNCIL ACTION: (Tape location: A143-B065.)

MOTION BY McCARTY TO APPROVE THE CITY MANAGER RECOMMENDATION AND

TO SUPPORT IN CONCEPT THE APARTMENT ASSOCIATION'S IDEA OF ADDING A FIFTY-CENT SURCHARGE SO THAT THE PRIVATE SECTOR CAN GET INVOLVED IN TRAINING THEIR APARTMENT MANAGERS ON HOW TO DEAL WITH DRUG PROBLEMS IN THEIR APARTMENTS. ALSO, REFER TO PS&S COMMITTEE THE DETAILS OF THE APARTMENT ASSOCIATION'S PROPOSAL FOR DISCUSSION. STAFF IS DIRECTED TO PROVIDE A QUARTERLY REPORT TO PS&S COMMITTEE ON THE PROGRESS OF THE PROGRAM. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-CS-1: (R-91-654) ADOPTED AS RESOLUTION R-276727

A Resolution adopted by the City Council in Closed Session on Tuesday, October 16, 1990.

Authorizing the City Manager to pay the sum of \$37,500.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 614157, Terilynn Danner v. City of San Diego, et al., resulting from a vehicle accident in which the plaintiff was rear-ended by a City Park and Recreation employee in the City's Chevy S-10 stakebed truck; authorizing the City Auditor and Comptroller to issue one check in the amount of \$37,500.00, made payable to Terilynn Danner, and her attorney of record, Randall B. Hamud, in

full settlement of all claims.
Aud.Cert. 9100309.

FILE LOCATION: MEET

ITEM-CS-2: (R-91-602) ADOPTED AS RESOLUTION R-276728

A Resolution adopted by the City Council in Closed Session on Tuesday, October 16, 1990:
Authorizing the City Manager to pay the sum of \$29,912.65 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage to the residence of Marilyn Lewis; authorizing the Auditor and Comptroller to issue one check in the amount of \$29,912.65, made payable to Luth & Turley, Inc., in full settlement of all claims.
Aud.Cert. 9100287.

FILE LOCATION: MEET

NON-DOCKET ITEMS:
None.

COUNCIL COMMENT:
None.

PUBLIC COMMENT:
None.

ADJOURNMENT:
By common consent, the meeting was adjourned by Mayor O'Connor at 9:55 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: N111-113).